

**WOLFF & SAMSON PC**

COUNSELLORS AT LAW

THE OFFICES AT CRYSTAL LAKE

ONE BOLAND DRIVE

WEST ORANGE, NEW JERSEY 07052

973-325-1800

TELECOPIER: 973-325-1501

NEW YORK OFFICE:

140 BROADWAY

FORTY-SIXTH FLOOR

NEW YORK, NEW YORK 10005

212-673-0672

WWW.WOLFFSAMSON.COM

WRITER'S E-MAIL:

RWolff@WolffSamson.com

WRITER'S DIRECT DIAL:

973-680-2012

WRITER'S TELECOPIER:

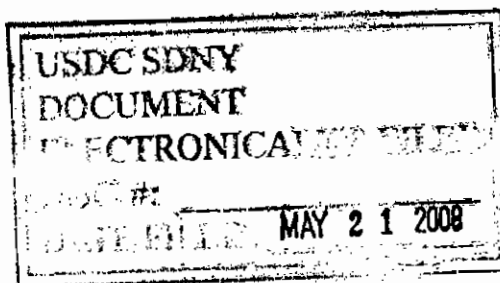
973-630-2212

DAVID SAMSON  
ARTHUR S. GOLDSTEIN  
ARNEN SHAHINIAN  
THOMAS R. O'BRIEN  
GAGE ANDRETTA  
DANIEL A. SCHWARTZ  
KAREN L. GILMAN  
KENNETH N. LAPTOOK  
FREDRIC P. LAVINTHAL  
DAVID M. HYMAN  
DAVID L. SCHLOSBERG  
ROGER J. GREENE  
DAVID N. RAVIN  
BERNARD S. DAVIS  
HOWARD J. SCHWARTZ  
PAUL M. COLWELL  
ROBERT E. NIES  
MORRIS BIENENFELD  
DENNIS M. TOFT  
GEORGE A. SPADORO  
JEFFREY M. GUSOFF  
JOHN F. CASEY  
JAMES D. FERRUCCI  
JOHN M. SIMON

JOHN A. MCKINNEY, JR.  
STEPHEN L. FERST  
LAURENCE M. SMITH  
WILLIAM E. GOYDAN  
DARRYL WEISSMAN  
PETER E. NUSSBAUM  
LORI CRIFA  
MICHELLE A. SCHAAF  
ADAM K. DEAMAN  
ADAM P. FRIEDMAN  
MITCHELL S. BERKEY  
CATHERINE P. WELLS  
JONATHAN BONDY  
SEAN M. AYLWARD  
DANIEL M. MURPHY  
ROBERT H. CRISP  
JUNIE HAHN  
JOSEPH TRIPOLI  
JILL D. ROSENBERG  
JOHN D. LUKANSKI  
ROXANNA E. HAMMETT  
BARBARA B. MANAHAN  
RONALD L. ISRAEL

MEMBER NJ AND NY BARS  
MEMBER NY BAR ONLY  
REGISTERED PATENT ATTORNEY

MARTIN L. WINER (1942 - 2002)



May 21, 2008

AARON D. BASSAN  
LAUREN M. O'SULLIVAN  
JOSEPH ZAWILA  
HOWARD K. UNIMAH  
STEVEN S. KATZ  
JUNE S. MELLER  
ANDREW S. KENT  
ERIC J. LEVINE  
DORIT F. KRESSEL  
JOSEPH MONAGHAN  
STEPHEN O. CORDARO  
WARREN BARROWS  
LAURIE J. SANDS  
DANNA M. EREN  
COUNSEL

CARL B. LEVY  
RHONDA CARNIDL  
BARBARA S. HUTCHESON  
ANDREW D. ELLIS  
KLAUS P. STOFFEL  
STEPHEN M. ASPERO  
STEPHEN A. KISKER  
DAVID E. WOLFF  
ARTHUR T. HILSON  
OF COUNSEL

JOSEPH A. DICKSON  
BRUCE D. ETTMAN  
CARLOS G. MANALANSAN  
MYRNA BLUME  
DANIEL D. BARNES  
WILLIAM R. PINIZIO  
DIANA L. BUONGIORNO  
THOMAS J. TRAUTNER  
LINDA D. SULLIVAN  
JENNIFER R. JACOBUS  
JOSHUA M. LEE  
KAREN L. SHAMIR

TODD W. TERHUNE  
SHANNON L. KEIM  
MARGARET O'ROURKE WOOD  
MARK A. FORAND  
DENISE J. PIPERBURN  
RUSSEL D. FRANCISCO  
NICOLE F. DIMARIA  
DANIEL T. McKillop  
FARAH N. HOMER  
SCOTT E. UNISKY  
DAVID H. DUGAN  
ELISA M. PAGANO  
KATHRYN E. GONZ  
KIRAN V. SOMASHEKARA  
RACHEL C. SANTARLAS  
XAVIER M. BULLIARO  
KEYANA C. LAWS  
NATASHA M. GONGONGUA  
SCOTT J. GOLDSTEIN  
MELISSA A. SALIBENE  
JONATHAN L. CASSADY  
NICOLE K. MARTIN  
ERIC YUN  
JENNIFER L. DE LYON  
NANCY A. DEL PIZZO  
DARRIN ORZYS  
BETH J. ROTENBERG  
DEEPA A. MAIREN  
BRIAN KANTAR  
ELIZABETH C. YOO  
PETER D. SIMON  
JOSHUA M. LEVY  
PATRICIA O. GLEARY  
GRAHAM M. CLAYBROOK  
KIMBERLY OLORENZO  
CHRISTOPHER J. DONADIO  
HAUWK M. SANGHAVI  
MERISA B. VINICK

PLEASE REPLY TO WEST ORANGE

**VIA FACSIMILE (212-805-0426)**

Hon. Laura Taylor Swain, USDJ  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *In re DJK Residential LLC, et al.*  
*Civil Docket No.: 08-CV-3738-LTS*

Dear Judge Swain:

We represent the Appellant in the above-referenced appeal. A settlement/pre-trial conference is scheduled in this matter for Friday, May 23, 2008. We respectfully request, with the consent of Ashley Parrish, counsel for the Debtors/Appellee, a brief adjournment of the conference for a week or two weeks, to whichever date and time that best fits Your Honor's schedule.

We request the adjournment because the parties have reached in principle a settlement, the only contingent portion of which is the distribution to be made to Appellant under the Debtors' confirmed Plan of Reorganization. We have been advised by Debtors' counsel that the

**MEMO ENDORSED**

**WOLFF & SAMSON PC**

Hon. Laura Taylor Swain, USDJ

May 21, 2008

Page 2

distribution is expected to be made by Thursday of this week. If that payment is properly made, the appeal will be dismissed and the conference rendered moot.

Thank you for Your Honor's consideration.

Respectfully,

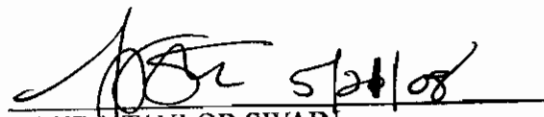


ROBERT E. NIES

REN/mfg

cc: Ashley C. Parrish, Esq. (via e-mail)

The conference is adjourned to  
May 30, 2008, at 9:30 AM.

**SO ORDERED.**LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE